

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
W/S of Walnut Avenue, 4 1/2 ft. S of 671 Birch Street
1916 Walnut Avenue
12th Election District
7th Councilmanic District
Donald G. Hafner, Sr.
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (garage) with a height of 25 ft., in lieu of the required 15 ft., as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of April, 1992 that the Petition for a Zoning Variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (garage) with a height of 25 ft., in lieu of the required 15 ft., in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 16, 1992

Michael Radcliffe, Esquire
608 Baltimore Avenue
Towson, Maryland 21204

Mr. Donald G. Hafner, Sr.
1916 Walnut Avenue
Baltimore, Maryland 21222

RE: Petition for Residential Zoning Variance
Case No. 92-341-A

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

400.3 TO ALLOW AN ACCESSORY GARAGE WITH A HEIGHT OF 25' IN LIEU OF REQUIRED 15 FEET.

Needs Additional Storage Space (Area) and want to match Roof Line of Garage to Existing Dwelling.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

We agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or print name)

(Signature)

Address

City State Zip Code

Attorney for Petitioner:

(Type or print name)

(Signature)

Address

City State Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Legal Owner(s):

Donald G. Hafner Sr.

Donald G. Hafner Jr.

(Signature)

(Type or print name)

(Signature)

(Signature)

Address

City State Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

608 Baito Ave. Towson, Md.

#288-6333

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Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

4/21/92
3/24/92
8

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: Ervin McDaniel, Chief
Office of Planning and Zoning
Development Review Section

SUBJECT: Donald G. Hafner, Item No. 361

SUMMARY AND RECOMMENDATIONS:

The Office of Planning and Zoning has no objection to the requested variances. However, a restriction should be placed in the order prohibiting any living quarters, kitchen or bathroom facilities in the garage.

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

EM/PM/rdn
361.ZAC/ZAC1

Received By:
W. Carl Redcliff Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Donald G. Hafner, Sr.
Petitioner's Attorney: Michael Radcliffe

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: Ervin McDaniel, Chief
Office of Planning and Zoning
Development Review Section

SUBJECT: Donald G. Hafner, Item No. 361

SUMMARY AND RECOMMENDATIONS:

The Office of Planning and Zoning has no objection to the requested variances. However, a restriction should be placed in the order prohibiting any living quarters, kitchen or bathroom facilities in the garage.

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

EM/PM/rdn
361.ZAC/ZAC1

Baltimore County Government
Fire Department

351 East Poplar Road, Suite 901
Towson, MD 21204-5501

APRIL 2, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: DONALD G. HAFNER, SR.
Location: #1916 WALNUT AVENUE
Item No.: 361 Zoning Agenda: MARCH 24, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Noted and Approved*
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for March 24, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 354, 356, 358, 359, 360, 361 and 365.

For Items 357 and 364, these sites must be submitted through the new subdivision process for review and comments.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

RECEIVED
MAR 26 1992
ZONING OFFICE

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: April 8, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famill

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: March 24, 1992

This office has no comments for item numbers 356, 357, 358, 359, 360, 361 and 364.

Rahee J. Famill
Rahee J. Famill
Traffic Engineer II

RJF/lvd

RECEIVED
OFFICE

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

March 20, 1992

(410) 887-3353

Donald G. Hafner, Sr.
1916 Walnut Avenue
Baltimore, Maryland 21222

Re: CASE NUMBER: 92-341-A
LOCATION: 1916 Walnut Avenue
12th Election District - 7th Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before March 29, 1992. The closing date is April 13, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be posted and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner, Baltimore County

cc: Michael Radcliffe, Esq.

COPY

LPJ, INC. CONSULTING ENGINEERS

16 WEST TWENTYFIFTH ST. BALTIMORE, MD 21201 TELE: 301-366-7800 FAX: 301-366-3835

March 10, 1992

Hafner Construction Company, Inc.
1916 Walnut Avenue
Baltimore, Maryland 21222

Attn: Mr. Don Hafner Sr.

Re: New Shed Addition
LPJ 5-92084

Gentlemen:

This is to certify that, to the best of my knowledge, the structural information shown on sketches SK-1 and SK-2, dated 3/10/92, on the above referenced project, complies with the Baltimore County Building Code, and that I hereby assume responsibility for its design.

If you have any questions on the above please call me.

Very truly yours,
LPJ, INC.
Murray Weiner
Murray Weiner, P.E.

WM/tlh

92-341-A

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1916 Walnut Ave

Subdivision name: *Hafner Park*

plat book: *35*, lot: *14*, section: *1*

OWNER: *Donald G. Hafner Sr.*

Petitioner's Attorney
#1

VICINITY MAP
Scale: 1"=1000'

LOCATION INFORMATION

Councilmanic District: 7
Election District: 12
1"=200' scale map: SE 3E
Zoning: OR 5.5
Lot size: 19,831 square feet
Public Access: ☒
SEWER: ☒
WATER: ☒
Chesapeake Bay Critical Area: ☒
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!
reviewed by: LG ITEM #: 361 CASE#:

Scale of Drawing: 1"=40'

361

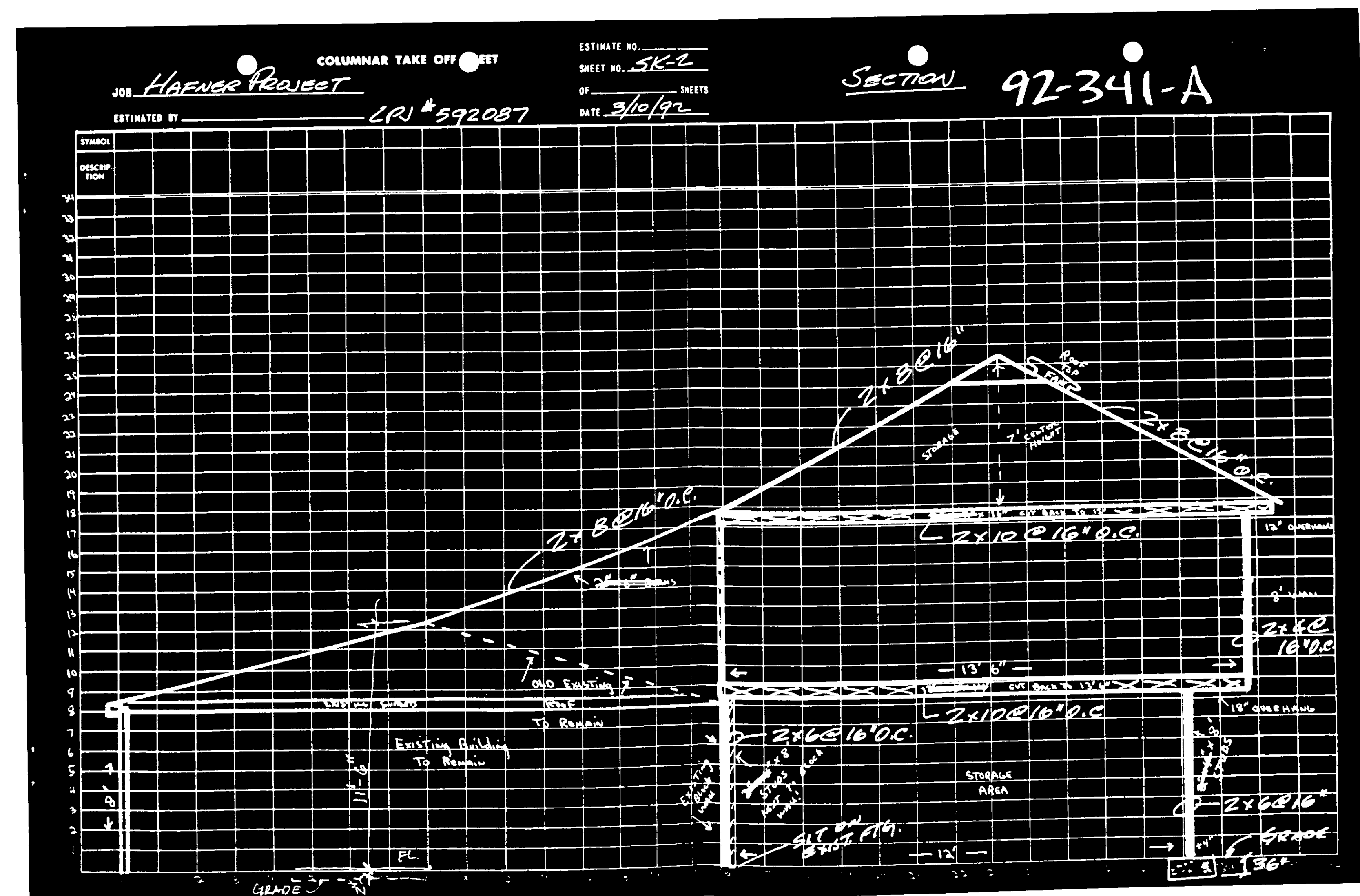
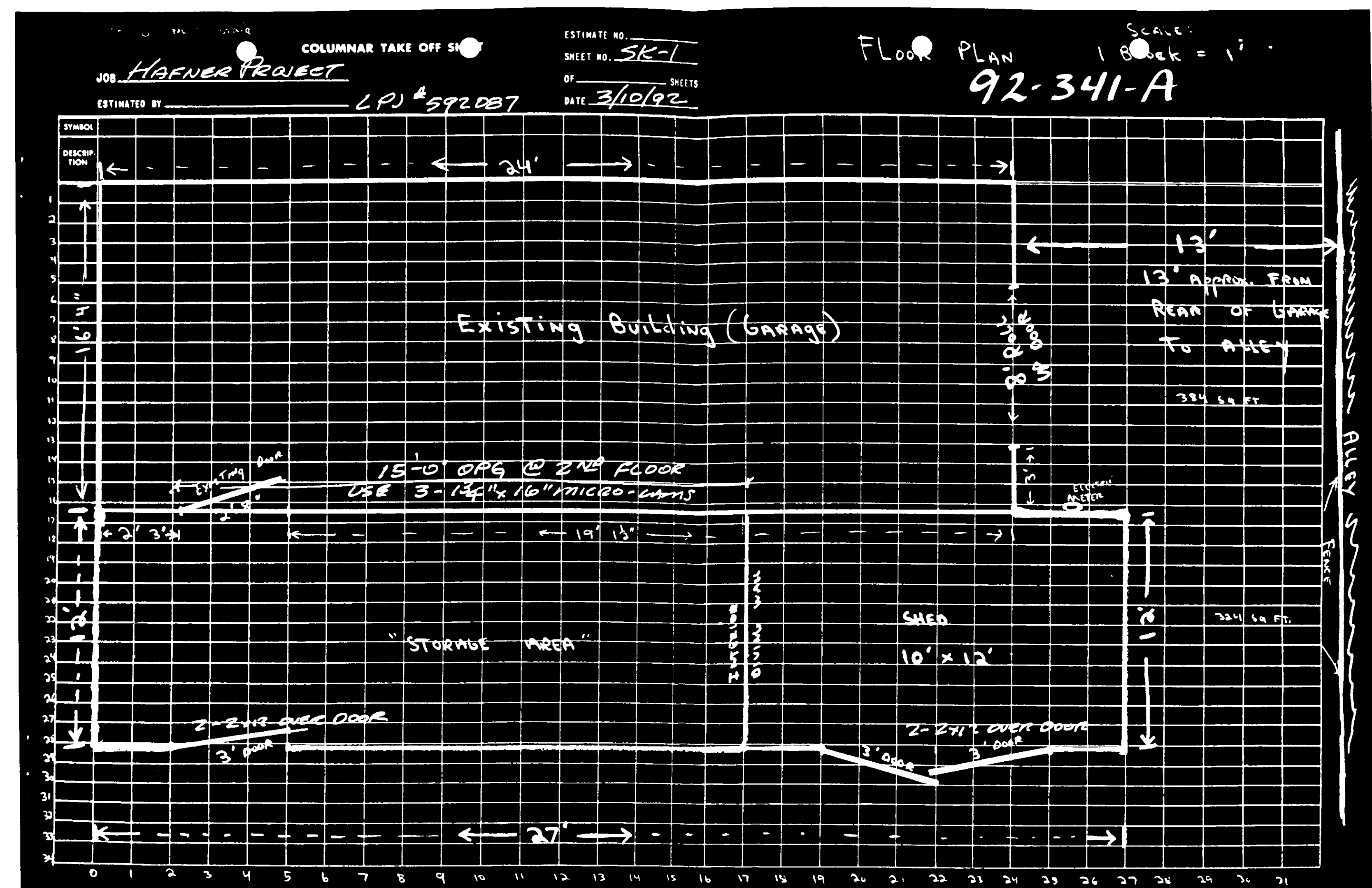
1916 WALNUT AVE

Note:
Notice Roof Angle of Dwelling.
Change to Match

ONE SIDE
VIEW OF
Dwelling

1916 WALNUT AVE

36





F-NE E-NW
F-SE E-SW

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
JULY 13, 1988
Ord. Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

John A. [Signature]
Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
DUNDALK

92-341-A

SHEET

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3-E

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